

## Remarks

Applicant respectfully requests reconsideration of this application as amended herein.

Claims, 1, 2, and 4-9, have been rejected under 35 USC 103 as unpatentable over Ruiz in view of Peterka. Ruiz discloses a device for holding a circular glass cover 4 on a light fitting. It has three columns 2, arranged equidistant from each other around the periphery of a circular plate 1, with each column having a sidewardly opening slot 3 facing radially inwardly for receiving the edge of the glass cover 4. One of the columns 2 has a head plate 5 that can be turned to open the slot 3 for insertion of the glass cover 4, and then turned back to hold the cover in place.

Claim 1 calls for a base having a face for engaging an outside corner of an object needing secure physical connection to another surface. The face has surfaces for engaging two non-parallel outside surfaces of the object. The "base" 10 of Ruiz does not have a face for engaging an "outside corner" of his glass cover 4. His glass cover is circular; it does not have corners like the object to be held by Applicant's locking mount, as shown in Fig. 2. Thus, Ruiz does not meet the limitations of claim 1. Moreover Ruiz does not have a top that lies on a plane orthogonal to the surfaces of the face to engage upper surfaces of the object that lie orthogonal to the outside surfaces when the object lifts away from the other surface. Ruiz has a "top" 5 that is roughly orthogonal to only one surface (the vertical surface, but not the other surface in which the spring-loaded ball 9 is mounted, contrary to the limitations of claim 1. Indeed, the surface in which the spring-loaded ball 9 is mounted does not actually engage the surfaces of the object; the balls 9 do. Thus, Ruiz does not anticipate claim 1.

Peterka discloses a mirror mounting device having a pillar 14 with an external screw threading 17 onto which a clamping know 18 can be screw-threadedly engaged to hold the mirror in place in a slot in the pillar 14. Peterka shows several different forms of slots, including a slot 20a in Fig. 5 having surfaces for engaging two non-parallel outside surfaces of the mirror.

The Examiner postulates that it would have been obvious to a person of ordinary skill in the art to have "utilized upright faces with intersecting vertical surfaces as the face of the base taught by Ruiz, as taught by Peterka et al., for the purpose of providing a more secure means of holding a piece of glass. Applicant does not believe that the

use of an angled face such as 20a in Peterka would be obvious to a person of ordinary skill in the art in the context of the device shown by Ruiz because Ruiz uses only three columns 2, only one of which has a rotary head, and making the vertical face of the Ruiz device into an angled face would not provide a more secure means of holding his piece of glass. Moreover, neither Ruiz nor Peterka actually hold their glass on the supporting surface, but instead hold it on a separate support (11 or 21 in Peterka; 9 in Ruiz) that supports the glass spaced from the supporting surface. Thus, Ruiz and Peterka do not make obvious the invention defined in claim 1.

To make the distinction even more clear, Applicant has amended claim 1 to specify that the surfaces for engaging two non-parallel outside surfaces of the object extend all the way to the bottom surface of the base 1.

Claim 2 calls for the face of the base to have an inwardly opening angled portion having inwardly facing surfaces that engage an outside corner of the object to prevent the object from moving laterally while it is supported on the other surface. This clarifies even further, if possible, that the claimed devices are for holding the object in place laterally while it is supported by the other surface, but are not intended primarily for supporting the object's full weight, as both Ruiz and Peterka do. Applicant's devices actually will support the full weight of the object if the case is inverted, but that is not how it is intended to be used normally. Normally, the object is used while supported on the other surface (the inside floor of the case) and is held in place there while it is in use (unless it is removed from the case for use, which is easily done.) While the case is being transported, the devices hold the object in place against shifting laterally relative to the other surface.

Claim 4 calls for the base to be lower in profile than the object, whereby the mounting mechanism does not obstruct the use of the object. Ruiz teaches a mounting devices for holding a glass cover on a bulkhead light fixture. A bulkhead is a vertical surface or a ceiling, so the limitations of claim 4 are incongruous in the context of Ruiz, especially since the top plate 5 of Ruiz actually supports the object (the glass cover 4) rather than the "other surface" (which in Ruiz would be the "substantially flat fitting plat 1) supporting the glass cover 4. Accordingly, attempting to read claims 1 and 4 on Ruiz leads to a blind ally wherein attempts to stretch the meanings of the words to read on Ruiz just fail. In Peterka, the object (the mirror) is actually supported by "vertical" surfaces of the "recessed part" 19 and 20a, rather than the surface to which the pillar is

attached, and the pillar extends well above the top surface of the mirror. Therefore, neither Peterka nor Ruiz teach the limitations in claim 4, so the combination of Peterka and Ruiz could not possible result in a structure that includes these limitations.

Claim 6 calls for a clamping mechanism for moving the face of the base against the object to establish firm contact between the face and the object, and claim 7 calls for a clamping device by which clamping pressure of the clamping mechanism is adjustable. This subject matter is illustrated in Fig. 6. There is nothing like this in either Ruiz or Peterka. The spring loaded ball 9 in Ruiz is not an adjustable clamping device. Ruiz does not teach or need a device for tightening the spring 8. The Examiner's parenthetical statement that "tightening the spring results in greater pressure" may be true, but Ruiz does not teach a way to tighten the spring or that it could or should be tightened, or that there would be any benefit to tightening the spring. In any case, the ball does not move the face of the base against the object to establish firm contact between the face and the object. It only moves the ball against the object to push the object against the cover 5. Therefore, Ruiz and Peterka do not teach a structure that meets the limitations of claims 6 and 7.

Claims 3 and 10 have been rejected under 35 USC 103 as unpatentable over Ruiz, Peterka and Stiicheli. Stiicheli teaches an adjustable joint for use in a reading stand for patients confined to bed. The adjustable joint of Stiicheli has detents that allow the reading stand to be releasably held in several positions for the reading comfort of the patient. The Examiner asserts that it would have been obvious to a person of ordinary skill in the art of mounting articles to a support plate to have modified Ruiz by selecting teachings from a patent dealing with a reading stand for bed-ridden patients. Applicant believes that Stiicheli is non-analogous art and that a person of ordinary skill in the art of mounting articles to a support plate would not have consulted the medical or hospital appliances art for a teaching of modifications for Ruiz. Moreover, there appears to be no reason for making the Ruiz device more complicated and expensive than it is. Certainly, there is no teaching in either reference of the necessity or advantage of making the change proposed by the Examiner, even though the Examiner has offered a reason. However, the Examiner's reason appears to have originated with Applicant rather than either Peterka or Ruiz. References teaching detents abound, of course, but there is nothing in the prior art of record that would teach the advisability or benefit of adding a detent to the combined structure of Ruiz and Peterka, as combined

by the Examiner. Finally, it is not clear to Applicant how the modification proposed by the Examiner would be made, and the Examiner has not explained what he has in mind.

Claims 12-14 have been rejected under 35 USC 103 as unpatentable over Ruiz. Claim 12 calls for four corners of the article to be captured between inwardly diverging surfaces of an angled recess in an upstanding base of each mount to prevent lateral movement of the article relative to the supporting surface. Applicant has added limitations to claim 12 regarding the detent that holds the top cap in place until the resisting force tending to hold the top cap closed is overcome and the top cap is rotated to allow the object to be lifted vertically away from the supporting surface. There is no detent in Ruiz-Peterka and there is no "lifting vertically away from the supporting surface" in that combined disclosure since that is not how those devices are intended to function. Therefore, Applicant believes that amended claim 12 is patentable over the cited references.

Claim 14 specifies that the operation of the detent is by compressing a spring when pivoting the top cap to allow the top cap to lift slightly away from the upstanding base so the top cap may be rotated to its open position to allow the article to be lifted out for quick and easy removal. Ruiz has a spring loaded ball 8, 9 to engage the underside of the glass 4 to snugly hold the edge of the glass within the respective groove. Ruiz does not disclose compressing a spring when pivoting the top cap to allow the top cap to lift slightly away from the upstanding base. He does show a spring 7 around a shaft 6 to hold the top plate downwardly into contact with the support part 10, but the top plate does not lift away from the support part 10 when the top plate is rotated, as Applicant's top cap does. Indeed, Ruiz does not disclose a detent of any kind. Applicant respectfully invites the Examiner's closer attention to the function of the spring 7 and the shaft 6, the function of which is described in Col. 2, lines 1-5. Applicant believes that the Examiner will agree that there is no vertical movement of the top cap contemplated by Ruiz in his description of the function of the spring 7 and shaft 6. The function is strictly to hold the top cap resiliently in place on the top of the lower part 10 of the column 2. Hence, claim 14 should be patentable over Ruiz.

Claim 18 has been rejected under 35 USC 103 as unpatentable over Ruiz and Holden. Holden teaches an ultrasonic liquid level indicator for liquids within a reservoir. He has a clamp or grips for attaching the ultrasonic transducer to the reservoir. The clamp has gripping elements made of polyurethane. The Examiner asserts that a

person of ordinary skill in the art would naturally look to the medical devices art for a teaching of how to improve the grip of the Ruiz device on the glass cover of his light fixture. Applicant does not believe that Holden is analogous art with Ruiz and that even if it were, that the teachings in Holden are inapplicable to Ruiz, since the purpose of the polyurethane gripping elements are to grip the glass surfaces to hold the ultrasonic transducer against the reservoir surface. There is no requirement like that in Ruiz. These references are not remotely related Holden and would be of no interest to a person of ordinary skill in the art working on a device like that of Ruiz.

If the Examiner concurs with Applicant that the claims as amended herein provide a clear distinction of the claimed invention over the prior art, he is respectfully requested to pass this application to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. Michael Neary", is written over a horizontal line.

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